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**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT CALIFORNIA**  
**SAN JOSE DIVISION**

In re:

EDWIN L. PINA,  
MAILENE MAC

Debtors

Case No.: 09-57362-RLE

CHAPTER 13

PRE-HEARING CONFERENCE  
STATEMENT

Hearing Date: April 15, 2010  
Time: 2:00 PM  
Courtroom: 3099  
Judge: Hon. Efremsky

COME NOW DEBTORS and pursuant to the Objection to Confirmation issued by the Trustee,  
respond as follows:

1. Date Objection Filed:

Trustee: October 15, 2009; November 24, 2009 (First-amended); February 3, 2010  
(Second-Amended); February 8, 2010 (Third-Amended)

2. Date of Initial Conference and Subsequent Conf.

Trustee: None; debtors will comply

3. Statement of Legal and Factual Issue

The Trustee objects to debtors' confirmation based on the grounds that: (1) Debtor, Edwin  
Pina, failed to provide a copy of his last payment advice received in January 2009; (2) Debtor,

1 Mailene Mac, failed to provide to the Trustee a copy of her payment advices for the period of  
2 June 23, 2009 through July 12, 2009; (3) Schedule D lists Chase Home Finance (account number  
3 0110092346) as the second deed of trust holder on Debtors' Morgan Hill property, whereas the  
4 "other provisions" of the plan state that Chase Mortgage (account number 2002479591) is the  
5 second deed of trust holder for the property.  
6

7 **Point 1 & 2.** Debtors submitted their declarations regarding the missing payment advices on  
8 January 28, 2010.

9 **Point 3.** Debtors respectfully disagree. The Attachment to Plan identifies "Chase  
10 Mortgage, its assignees, successors, predecessors, and agents" which Debtors believe adequately  
11 describes Chase Home Finance as well as Chase Mortgage.  
12  
13

14 4. Discovery. None  
15

16 5. Request. Debtors believe that the case is ready for confirmation.  
17

18 Dated: March 15, 2010

THE FULLER LAW FIRM

20 By: /s/ Sam Taherian  
21 SAM TAHERIAN  
22 Attorney for Debtors  
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